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July 19, 2004

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**RECEIVED**

JUL 19 2004

Federal Communications Commission  
Office of Secretary

Re: MB Docket No. 04-205  
RM-10704

Dear Ms. Dortch:

Transmitted herewith on behalf of Islamorada Broadcasters are an original and four (4) copies of its Comments in the above-referenced rule making proceeding.

Should any further information be desired in connection with this matter, please communicate with this office.

Very truly yours,

  
Vincent A Pepper

Enclosures

No. of Copies rec'd 0 + 4  
List ABCDE

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Before the  
Federal Communications Commission  
Washington, DC 20554

**RECEIVED**

JUL 19 2004

Federal Communications Commission  
Office of Secretary

In the matter of )  
 )  
Amendment of Section 73.202(b) ) MB Docket No. 04-205  
FM Broadcast Stations )  
Islamorada, Florida ) RM-10704  
 )  
To: Assistant Chief, Audio Division  
Media Bureau

COMMENTS

COMES NOW, Islamorada Broadcasters by its attorneys and hereby respectfully submits its Comments in support of the proposed allocation of FM Channel 283C2 to Islamorada, Florida. In support thereof it is stated as follows:

1. The proposed allocation of FM Channel 283C2 will provide Islamorada with its first broadcast station. As a community qualified for allotment purposes, such an allocation would clearly serve the public interest, convenience and necessity.

2. The Commission noted the allegations of Paul B. Christensen, Esq., the Petitioner in this proceeding, to the effect that the community has a population of 6,846 persons according to the 2000 census. Mr. Christensen also indicated that Islamorada has a city government, police department, fire department, post office, public schools, churches, weekly newspaper and numerous local businesses. The Commission indicated, however, that it wanted comment on the community status of Islamorada with supporting documentation.

3. Counsel for Islamorada Broadcasters contacted the Islamorada Chamber of Commerce and received the attached "Profile of Islamorada" and "Relocation Guide to Islamorada." Counsel spoke at length with a representative of the Chamber of Commerce of Islamorada and he was advised that the Chamber had over 350 members. The Chamber confirmed the 2000 U.S. Census figure and indicated that the University of Florida had completed a 2002 estimate of population for Florida in which it estimated the 2002 population for Islamorada at 7,067 persons, which is a growth of more than 3% since the 2000 census.

4. Counsel was advised by the Chamber that Islamorada is incorporated as a village. The residents of the Village of Islamorada elect a village council consisting of five members, each elected for a four-year term. The council has just reduced the term of service in the future to two years. The council selects one of its members as mayor for a one-year term and a second member as vice-mayor.

5. Undersigned counsel phoned the Village of Islamorada council at (305) 664-2345 and spoke with the assistant of the council who advised that the above information concerning the incorporation and the elections is true and correct. These elections have nothing whatsoever to do with Monroe County, Florida, which encompasses the entire Florida Keys. Counsel was advised that the Village council contracts for its own police department through Monroe County. The fire department is independent of Monroe County and is exclusive to Islamorada.

6. As can be seen on the attached "Profile of Islamorada" and "Relocation Guide to Islamorada," the community has the standard offices of a community with a weekly newspaper, numerous professional offices, including real estate firm, banks, CPAs, healthcare and spa, mortgage companies, title companies, financial services, insurance services and construction and related services.

7. The hospital for Islamorada is immediately north of Islamorada in Tavernier with Islamorada being the principal service for the hospital.

8. A further review of the "Profile of Islamorada" and "Relocation Guide" reflects a significant number of routine retail stores. Counsel was advised of extensive civic clubs with a substantial Rotary. Fishing and tourism is the number one economic base of the area.

Islamorada has the Theatre of the Sea, which is a substantial day attraction for tourists. The fishing and tourist activities provide substantial support to Islamorada allowing the Village to flourish as it has.

9. In addition, Islamorada has its own zip code (33036) and shares part of the Tavernier zip (33070). Islamorada has its own post office and aside from Monroe County schools, the Commission will note on the "Profile of Islamorada" it has four schools in all; one private (kindergarten through 12), one public elementary, one public high school and one community college.

10. It is submitted that it does not matter whether Islamorada is incorporated as a village, township, community or city. The fact is it is incorporated and it has elected officials who are responsible for conducting the business of Islamorada. It has a police department, a fire department, schools, hotels, restaurants, churches and numerous businesses which could well be served commercially by an Islamorada FM station. There are many communities in the United States with much smaller populations than Islamorada and with much less community activities which have radio allocations.

11. Since Islamorada has all of the indicia of a community for allocation purposes and since the proposal is a drop-in allocation where there is no consideration being given to another community, the people of Islamorada are entitled to their own local radio station rather than

having to rely upon distant stations which do not give consideration to the needs and interests of the people of Islamorada. Clearly it will serve the public interest to provide a first local broadcast service to the public of Islamorada and to its advertisers and, therefore, the public interest, convenience and necessity will be served by the proposed allocation.

12. Upon completion of the allocation process, Islamorada Broadcasters will file an application for the new facility and, if granted, will construct and operate the station.

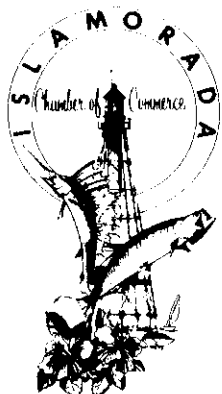
Respectfully submitted,

ISLAMORADA BROADCASTERS

By: Vincent A Pepper  
Vincent A Pepper  
Its Attorney

Womble Carlyle Sandridge & Rice, PLLC  
1401 Eye Street N.W., Seventh Floor  
Washington D.C. 20005  
Phone: (202) 857-4560  
Fax: (202) 261-0060

July 19, 2004



# Islamorada

CHAMBER OF COMMERCE

"Sport Fishing Capital  
of the World!"

#### MAILING

##### ADDRESS:

P.O. Box 915  
Islamorada, FL 33036

#### VISITOR

##### CENTER:

83224 Overseas Hwy  
MM 83.2, Bayside  
(305) 664-9767

#### ADMINISTRATIVE

##### OFFICE:

83224 Overseas Hwy  
(305) 664-4503  
(305) 664-4289 fax  
(800) FAB-KEYS  
admin@islamorada  
chamber.com

#### MONTHLY

##### MEETINGS

##### SCHEDULE:

###### BOARD MEETING

5:30 pm @ Office  
Second Wednesday

###### BUSINESS

AFTER HOURS SOCIAL  
5:30 pm @ Host's  
Business  
Third Tuesday

###### LUNCHEON MEETING

11:45 am @ Member  
Restaurant  
Fourth Wednesday

## Profile of Islamorada

*This information was assimilated using the data from the 2000 Census  
and the University of Florida Bureau of Economic and Business Research  
Florida County Perspectives 1999 Report.*

If more information or personal contacts are needed in a certain industry, please call for referrals. For relocation or business planning purposes, a personalized tour and guide can be arranged to suit specified needs and schedule. Islamorada is a wonderful place to work and play. On behalf of the Chamber, best of luck in your endeavors.

**Character:** The legend is Islamorada means purple isle, but the truth is Islamorada was named "Island Home" after the Pinder family's sailboat. They settled here in the 1870s, 20 years after the Russells homesteaded the area. Even though it's changed since the days of pineapple plantations and turtle farming, it's still a quaint fishing village in many ways. Only now Islamorada is known as the "Sport Fishing Capital of the World" because most world fishing records have been set here.

**Population:** 6,846 according to the 2000 Census  
Neighboring on the north side is Key Largo with 11,886 people plus North Key Largo (Ocean Reef) with 1,049 people  
Neighboring on the south side is Marathon with 10,255 people  
At the southernmost point in the Keys is Key West with a population of 25,478 plus 4,410 people on Stock Island  
Total population for Monroe County is 79,589 (2% increase over '90)

**Geography:** 3,900 acres, 18 linear miles long, less than one mile wide and the boundaries are from mile marker (MM) 90.939 to MM 72.658 over four main islands running north to south: Plantation Key, Windley Key, Upper Matecumbe Key, and Lower Matecumbe Key. The islands were originally connected by Henry Flagler's railroad in the early 1900's. The railroad was destroyed in the Labor Day hurricane of 1935 and now bridges span the islands, only one is a drawbridge. The Keys are sandwiched between the Florida Bay on the West and the Atlantic Ocean on the East. Islamorada is an hour and a half south of the Miami Airport and an hour and a half north of Key West. Directions are commonly given by mile marker and designated either ocean side or bayside. MM 0 is in Key West; lower numbers are closer to Key West.

-- MORE --

**Government:** Incorporated "Islamorada, Village of Islands" in 1997. For more information call (305) 664-2345 or visit [www.islamorada.fl.us](http://www.islamorada.fl.us). Offices are located at MM 87 on Plantation Key at Founder's Park. Mailing address is P.O. Box 568, Islamorada, FL 33036. The Mayor is Frank Kulisky and Village Manager is Charles Baldwin. Islamorada is located in Monroe County, Florida – the southernmost U.S. county.

**Utilities:** Water is piped in from the mainland and electricity is purchased by Florida Keys Electric Co-op from sources on the mainland. There is a backup generator for emergency uses. Telephones and cellular towers function throughout the county. DSL is available in limited areas. Sewage is handled by individual septic tanks or treatment facilities, although, a central treatment plant is being planned. Garbage and recycling is collected on a regular schedule and trucked out of county.

**Households:** Monroe County has the highest cost of living in the state of Florida. Ranking number one with an average house purchase price at \$130,897 and rising. Average 2.25 people per home. Median household county income is \$52,100. Number of registered voters in Monroe is 47,786.

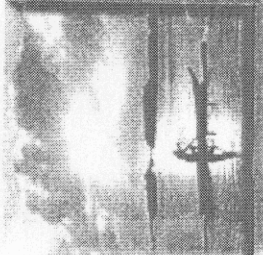
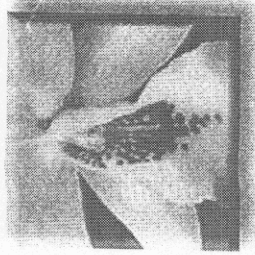
**Industry:** The main industry is tourism. About 1.7 million people stay in Islamorada each year or drive through on their way to Key West. Average amount spent by each visitor to Florida per day is \$123. State sales and use tax collected in the county was approximately \$111 million. Total employed personnel county-wide is 45,376. The unemployment rate is 2.32 with 1,080 unemployed. In rank order are the industry percentages of employment: Services 44.4%, Retail 23.7%, Finance/Insurance/Real Estate 9.1%, Construction 8.6%, Transportation 5.9%, Wholesale 3.4%. Government employs 8,140 people. There are 183 hotel/lodging businesses in the county, more than 60 of which are in Islamorada. Dining accounts for 331 licenses in the county, almost 40 of which are in Islamorada. There are approximately 1,000 occupational licenses in the Islamorada area. The Islamorada Chamber of Commerce has 325 members.

**Schools:** There are four schools in all; one private (K-12), one public elementary, one public high school and one community college. Of the graduating students, 81.8% go on to continuing education programs.

**Community:** There is one post office, one public library, city police, fire and emergency medical services, a hospital one mile north of the village, and 10 churches in the village. Also, there are four local newspapers and a radio broadcasting company with more than three stations.

**Recreation:** Islamorada offers fishing in the backcountry, on the reef and offshore. Recently, the Keys were awarded "America's #1 Dive Destination" and Islamorada sunk the first ship for an artificial reef in 1985. There are four public beaches, four state parks and one city park with an Olympic-size swimming and diving pool. Several competitions are held in Islamorada each year including fishing tournaments, boat, jet ski, and windsurfing races. Well-attended festivals include the Upper Keys Rotary Nautical Flea Market, the Taste of Islamorada, the Islamorada Home Tour, and Indian Key Festival. The Old Road and paved paths provide suitable terrain for biking, skating or walking with heritage trail markers and descriptive historical plaques along the way. Each year a performing arts center hosts a cultural series and the community theater produces half a dozen shows. A 750-seat theater is planned for construction at the new high school building on Plantation Key.

**Other:** In the county, there are 24,808 recreational boats and 4,355 commercial vessels licensed. There were 86,956 automobile driver's licenses issued in 1999. Depending on which number used for calculation, Islamorada represents anywhere between 12-15% of the county statistics.

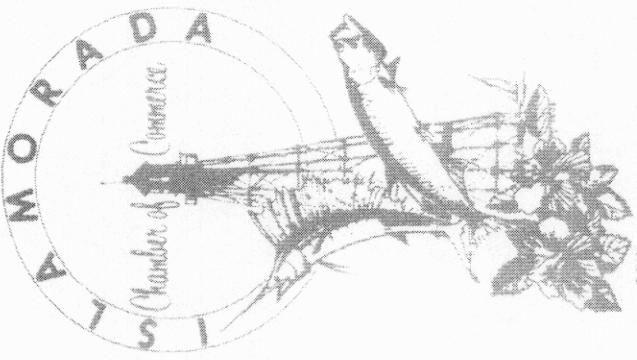


## Islamorada Chamber of Commerce

P.O. Box 915  
Islamorada, FL 33036  
A Officers Center located at MM 82.5, beside in the Red Cabaret  
Administrative Office located at 81324 Overseas Hwy  
Phone: 1-800-4-AB-KAYS or 305-664-4503  
Fax: 305-664-4380  
Email: info@islamoradachamber.com  
Website: www.islamoradachamber.com

## Relocation Guide to Islamorada courtesy of Islamorada Chamber of Commerce

**Welcome to Islamorada**  
**Village of Islands:**  
**Plantation, Windley,**  
**Upper & Lower**  
**Matecumbe Keys**



Telephone: 800-4-AB-KAYS  
Local Telephone: 305-664-4503  
www.islamoradachamber.com

## The Keys to Relocation: Islamorada, Village of Islands

<b>Moving In:</b>	
Cable Television:	Comcast 305-852-2288
Electricity:	Florida Keys Electric Coop MM 91.6 305-852-2431 / 800-858-8845
Telephone:	Bell South 305-780-2355 AT&T Media 800-222-0300
<b>Utilities:</b>	
Waste Disposal:	Onyx 305-453-1700
Water:	Florida Keys Aqueduct MM 91.6 305-852-8068
<b>Miscellaneous:</b>	
Boat Registration:	Vehicle Registration Office MM 88.7 305-852-7150
Drivers License:	Florida Drivers License Bureau MM 100.4 305-853-3562
Hospital:	Mariners Hospital MM 91.5 305-852-4418
Emergency Room:	305-853-1600
Library:	Helen Wadley Library MM 81.5 305-664-4645
Movie Theater:	Tavernier Towne Cinema 305-853-7004
Post Office:	Islamorada Post Office MM 83 305-664-4738
Vehicle Reg.:	Vehicle Registration Office MM 88.7 305-852-7150
<b>Convalescent Center:</b>	
Plantation Key Convalescent Home 305-852-3021	
<b>Equipment Rental:</b>	
Four Star Rentals MM 86.3 305-852-3451	
<b>Schools:</b>	
Coral Shores High School 305-853-3222	
MM 89.9	
Florida Keys Comm. College 305-852-2737	
MM 89.9	
Island Christian School 305-664-4933	
MM 83.4	
Plantation Key Elementary 305-853-3281	
MM 89.8	
The Monroe County School Board may be reached at 305-296-6523	
<b>Emergency Fire / Police 911</b>	
<b>Non Emergency Numbers:</b>	
Ambulance	305-664-2377
Animal Control	305-451-0088
Emergency Management	800-427-8340
Fire & Rescue	305-664-4559
Florida Highway Patrol	305-853-3200
Florida Marine Patrol	305-289-2320
Monroe County Sheriff's Office	305-853-3211
Upper Keys Veterinary Clinic	305-852-3665



## Welcome to Islamorada

### Crown Jewel of the Florida Keys

We are known as the oldest, most historical island of all the Florida Keys. The four islands comprising our village are: Plantation, Windley, Upper & Lower Matecumbe. Islamorada's incorporated boundaries run from MM 90 at the northern end to MM 73 at the southern end of the Village. The majority of businesses are located on Upper Matecumbe Key. The population of the Village is about 7,600. Annual average air temperature is 80 while the water temperature averages 78. There is usually a good summer breeze.

### Village Offices:

MM 87 - Oceanside 305-664-2345  
Five commissioners guide Monroe County. District 4 is represented by:

Commissioner Humberto Hinciez at 305-289-6000  
Contact the County at 305-852-1469

### There are 11 houses of worship near Islamorada

Barton United Methodist Church MM 93 - O  
305-852-2581

Coral Isle United Church of Christ MM 90 - O  
305-852-5813

Emmanuel Lutheran Church MM 90 2-O  
305-852-8711

First Baptist of Islamorada MM 81 2-O  
305-664-4910

Islamorada Community Church MM 81 6-B  
305-664-2781

Keys Jewish Community Center MM 92 1-O  
305-852-5235

Matecumbe United Methodist MM 81 5-O  
305-664-3661

Plantation Key Church of God MM 90 3-H  
305-852-5996

Seventh Day Adventist MM 80 6-B  
305-852-8373

San Pedro Catholic Church MM 89 5-B  
305-852-5372

St. James the Fisherman Episcopal MM 87 5-B  
305-852-8468

### Transportation:

Keys Shuttle 305-289-9997  
Thrifty Car Rental 305-852-6088

### Local newspapers and media include:

Clear Channel Broadcasting 305-852-9085  
Free Press 305-664-2266  
Upper Keys Times 305-453-5454  
Keynoter 305-451-0257  
Reporter 305-852-3216

### The following is a list of realtors, many of whom can help with not only homes but also vacation rentals and long-term rentals:

American Caribbean Real Estate 800-662-4966  
Mornings Realty 305-664-9166  
Coldwell Banker Schmidt 305-664-4470  
Exit Realty 305-852-4442  
Freesecker Realty 305-664-2875  
Island Villa Properties 305-664-3333  
Prudential KeySide 305-853-1080  
GIMAC Schwartz Property Sales 305-664-3377  
Dolphin Realty 305-664-4774

### Islamorada professionals who can handle the legal and financial parts of relocation in addition to other services include:

1st National Bank of South Florida 305-817-9250  
Bank of America 305-664-4448  
Community Bank of Florida 305-852-0516  
Marine Bank of the Florida Keys 305-664-5553  
Oxon Bank 305-664-4467  
Republic Bank 305-852-4500  
TIB Bank of the Keys 305-664-4483  
First State Bank 305-664-9070

### CPAs:

Judith A. Cooley 305-852-3426  
Anne Harris 305-664-0780  
Patricia C. Mall 305-852-4833

### Arts & Entertainment

The Arts are alive and well in Islamorada with:  
The Keys Players, Art Lovers Gallery, and Miller Wells Studio-Gallery

### Retail

Take a break from relocation and enjoy these fine Islamorada shops:

Angelika, Blue Marlin Jewelry, Island Body and Sol, Garden of Eden, Island Silver & Spice Department Store, Lions Lair swimwear & airbrush studio, The Rain Barrel, PT's Clothing, Haitianda Art & Deco, Unforgettables, Down To Earth, Rudy's Kid's Club Clothing, Largo Cargo, Treasure Village, The Whistle Stop, and Worldwide Sportsman

### Entertainment

Enjoy a sunset cruise on the only limousine on the water - "Nautilimo." Contact Capt. Joe Fox at 305-942-3793

For information on water sports, attractions, fishing, and dining, please refer to our Official Islamorada Visitors Guide or simply call us at 1-800-FAB-KEYS. We look forward to hearing from you.

## Islamorada Chamber of Commerce

P.O. Box 915  
Islamorada FL 33036  
Phone: 1-800-322-5397  
Fax: 305-664-4289  
info@islamoradachamber.com  
Web: www.islamoradachamber.com

### Health Care & Spa:

Blue Bamboo Spa 305-664-9342  
Dr. John Deagle 305-852-8208  
Paul Joseph Hair & Nail Spa 305-664-4558  
Avanyu Spa 305-517-4485

### Mortgage Companies:

All Keys Mortgage 305-664-9891  
Bankers Mortgage Corp. 305-451-5880  
Hamtown Mortgage of the Keys 305-517-4273

### Title Companies:

Coral Reef Title Company 305-664-9200  
Florida Title of the Keys 305-664-5188  
First Equity Title Of The Keys 305-664-3334

### Financial Services:

DeMoss Financial 305-664-0034  
Morgan Stanley Dean Witter 305-453-0660

### Insurance Services:

Ray Hampton Insurance 305-451-4788  
Keys Insurance Agency, Inc. 305-453-1445  
Mega Life Insurance 305-393-8500  
Regan Insurance 305-852-3234

### Construction & Related Services:


Brian Yeale Painting 305-664-8402  
D'Assign Source 305-743-7130  
Forest Tak Lumber 305-852-4300  
Four Star Rentals 305-852-0600  
Islamorada Brick Company 305-664-3366  
Mr. D's Island Design 305-664-4204  
Nancy Miller Architect, Inc. 305-853-1011  
Tropical Island Design 305-451-1407  
Virginia White Appraisals 305-852-4982  
Windy Day Plumbing 305-664-9701  
Islamorada Pool Co. 305-664-3079

**CERTIFICATE OF SERVICE**

I, Lisa A. Blackburn, a secretary at the law firm of Womble Carlyle Sandridge & Rice, PLLC, do hereby certify that true copies of the foregoing "Comments" were mailed, postage prepaid on this 19th day of July, 2004, to the following:

Paul B. Christensen, Esq.  
Law Offices of Paul B. Christensen, P.A.  
3749 Southern Hills Drive  
Jacksonville, FL 32225  
(Petitioner)

\*Victoria McCauley  
Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room 2-A232  
Washington, DC 20554



\_\_\_\_\_  
Lisa A. Blackburn

\*Via Hand Delivery